US Army Corps
of Engineers
Alaska District

Public Notice of Application for Permit

Regulatory Branch (1145b)
3437 Airport Way
Suite 206
Fairbanks, Alaska 99709-4777

PUBLIC NOTICE DATE: March 31, 2006

EXPIRATION DATE: May 1, 2006

REFERENCE NUMBER: POA-2006-508-4

WATERWAY: Washington Creek

Interested parties are hereby notified that an application has been received for a Department of the Army permit for certain work in waters of the United States as described below and shown on the attached plan.

APPLICANT: Alaska Department of Transportation and Public Facilities (ADOT&PF), 2301 Peger Road, Fairbanks, Alaska 99709. (907) 451-5292.

LOCATION: Sections 24 & 25, T. 4 N., R. 2 W., Fairbanks Meridian; Latitude 65.151° N., Longitude 147.861° W.; near Fox, Alaska

WORK: The applicant proposes placing approximately 59,900 cubic yards of gravel fill material into approximately 5.5 acres of wetlands for a highway bridge replacement and realignment of the substandard curves on the approaches. All work would be completed in accordance with the attached narrative dated 3/10/06, sheets 1-6 of 6, the attached plans dated 10/04/05, sheets 1-3 of 3, and the attached plan for temporary work dated 2/17/06, sheet 1 of 1.

PURPOSE: Replacement of the Washington Creek Bridge and alignment improvement at MP 18.3 of the Elliot Highway.

ADDITIONAL INFORMATION: Please see attached plan and narrative from ADOT&PF.

MITIGATION: As a result of early project planning and preapplication coordination, the applicant has incorporated into the proposed project the following mitigation efforts to reduce impacts to the aquatic environment: See the attached narrative from ADOT, page 4, section titled "Avoidance, Minimization, and Mitigation".

WATER QUALITY CERTIFICATION: A permit for the described work will not be issued until a certification or waiver of certification as required under Section 401 of the Clean Water Act (Public Law 95-217), has been received from the Alaska Department of Environmental Conservation.

PUBLIC HEARING: Any person may request, in writing, within the comment period specified in this notice, that a public hearing be held to consider this application. Requests for public hearings shall state, with particularity, reasons for holding a public hearing.

CULTURAL RESOURCES: The latest published version of the Alaska Heritage Resources Survey (AHRS) has been consulted for the presence or absence of historic properties, including those listed in or eligible for inclusion in the National Register of Historic Places. There are no listed or eligible properties in the vicinity of the worksite. Consultation of the AHRS constitutes the extent of cultural resource investigations by the District Engineer at this time, and he is otherwise unaware of the presence of such resources. This application is being coordinated with the State Historic Preservation Office (SHPO). Any comments SHPO may have concerning presently unknown archeological or historic data that may be lost or destroyed by work under the requested permit will be considered in our final assessment of the described work.

TRIBAL CONSULTATION: The Alaska District fully supports tribal self-governance and government-to-government relations between the Federal government and Federally recognized Tribes. This notice invites participation by agencies, Tribes, and members of the public in the Federal decision-making process. In addition, Tribes with protected rights or resources that could be significantly affected by a proposed Federal action (e.g., a permit decision) have the right to consult with the Alaska District on a government-to-government basis. Views of each Tribe regarding protected rights and resources will be accorded due consideration in this process. This Public Notice serves as notification to the Tribes within the area potentially affected by the proposed work and invites their participation in the Federal decision-making process regarding the protected Tribal right or resource. Consultation may be initiated by the affected Tribe upon written request to the District Engineer during the public comment period.

ENDANGERED SPECIES: No threatened or endangered species are known to use the project area.

Preliminarily, the described activity will not affect threatened or endangered species, or their critical habitat designated as endangered or threatened, under the Endangered Species Act of 1973 (87 Stat. 844). This application is being coordinated with the U.S. Fish and Wildlife Service and the National Marine Fisheries Service. Any comments they may have concerning endangered or threatened wildlife or plants or their critical habitat will be considered in our final assessment of the described work.

ESSENTIAL FISH HABITAT: The proposed work is being evaluated for possible effects to Essential Fish Habitat (EFH) pursuant to the Magnuson Stevens Fishery Conservation and Management Act of 1996 (MSFCMA), 16 U.S.C. et seq and associated federal regulations found at 50 CFR 600 Subpart K. The Alaska District includes areas of EFH as Fishery Management Plans. We have reviewed the January 20, 1999, North Pacific Fishery Management Council's Environmental Assessment to locate EFH area as identified by the National Marine Fisheries Service (NMFS).

We have determined that the described activity within the proposed area will not adversely affect EFH, including anadromous fish and federally managed fishery resources.

SPECIAL AREA DESIGNATION: None.

EVALUATION: The decision whether to issue a permit will be based on an evaluation of the probable impacts including cumulative impacts of the proposed activity and its intended use on the public interest. Evaluation of the probable impacts, which the proposed activity may have on the public interest, requires a careful weighing of all the factors that become relevant in each particular case. The

benefits, which reasonably may be expected to accrue from the proposal, must be balanced against its reasonably foreseeable detriments. The decision whether to authorize a proposal, and if so, the conditions under which it will be allowed to occur, are therefore determined by the outcome of the general balancing process. That decision should reflect the national concern for both protection and utilization of important resources. All factors, which may be relevant to the proposal, must be considered including the cumulative effects thereof. Among those are conservation, economics, aesthetics, general environmental concerns, wetlands, cultural values, fish and wildlife values, flood hazards, floodplain values, land use, navigation, shore erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food and fiber production, mineral needs, considerations of property ownership, and, in general, the needs and welfare of the people. For activities involving 404 discharges, a permit will be denied if the discharge that would be authorized by such permit would not comply with the Environmental Protection Agency's 404(b)(1) guidelines. Subject to the preceding sentence and any other applicable guidelines or criteria (see Sections 320.2 and 320.3), a permit will be granted unless the District Engineer determines that it would be contrary to the public interest.

The Corps of Engineers is soliciting comments from the public; Federal, State, and local agencies and officials; Indian Tribes; and other interested parties in order to consider and evaluate the impacts of this proposed activity. Any comments received will be considered by the Corps of Engineers to determine whether to issue, modify, condition or deny a permit for this proposal. To make this decision, comments are used to assess impacts on endangered species, historic properties, water quality, general environmental effects, and the other public interest factors listed above. Comments are used in the preparation of an Environmental Assessment and/or an Environmental Impact Statement pursuant to the National Environmental Policy Act. Comments are also used to determine the need for a public hearing and to determine the overall public interest of the proposed activity.

Comments on the described work, with the reference number, should reach this office no later than the expiration date of this Public Notice to become part of the record and be considered in the decision. Please contact Will Strickland at the Fairbanks Field Office, 907-474-2166, or by email at William.k.strickland@poa02.usace.army.mil if further information is desired concerning this notice.

AUTHORITY: This permit will be issued or denied under the following authorities:

(X) Discharge dredged or fill material into waters of the United States - Section 404 Clean Water Act (33 U.S.C. 1344). Therefore, our public interest review will consider the guidelines set forth under Section 404(b) of the Clean Water Act (40 CFR 230).

A plan and Notice of Application for State Water Quality Certification are attached to this Public Notice.

District Engineer
U.S. Army, Corps of Engineers

Attachments

FRANK H. MURKOWSKI, GOVERNOR

STATE OF ALASKA

OFFICE OF THE GOVERNOR

DEPT. OF ENVIRONMENTAL CONSERVATION

DIVISION OF WATER
Non-Point Source Water Pollution Control Program
401 Certification Program

NOTICE OF APPLICATION
FOR
STATE WATER QUALITY CERTIFICATION

Any applicant for a federal license or permit to conduct an activity that might result in a discharge into navigable waters, in accordance with Section 401 of the Clean Water Act of 1977 (PL95-217), also must apply for and obtain certification from the Alaska Department of Environmental Conservation that the discharge will comply with the Clean Water Act, the Alaska Water Quality Standards, and other applicable State laws. By agreement between the U.S. Army Corps of Engineers and the Department of Environmental Conservation, application for a Department of the Army permit to discharge dredged or fill material into navigable waters under Section 404 of the Clean Water Act also may serve as application for State Water Quality Certification.

Notice is hereby given that the application for a Department of the Army Permit described in the Corps of Engineers' Public Notice No. **POA 2006 508 4, Washington Creek** serves as application for a short-term variance of State Water Quality Certification from the Department of Environmental Conservation, as provided in Section 401 of the Clean Water Act of 1977 (PL 95-217).

The Department will review the proposed activity to ensure that, except for an allowed, short-term variance, any discharge to waters of the United States resulting from the referenced project will comply with the Clean Water Act of 1977 (PL95-217), the Alaska Water Quality Standards, and other applicable State laws. The Department also may deny or waive certification.

Any person desiring to comment on the project with respect to Water Quality Certification may submit written comments within 30 days of the date of the Corps of Engineer's Public Notice to:

Department of Environmental Conservation
WQM/401 Certification
555 Cordova Street
Anchorage, Alaska 99501-2617
Telephone: (907) 269-7564
FAX: (907) 269-7508

STATE OF ALASKA

DEPARTMENT OF TRANSPORTATION AND PUBLIC FACILITIES

NORTHERN REGION, PRECONSTRUCTION

FRANK H. MURKOWSKI, GOVERNOR

2301 PEGER ROAD
FAIRBANKS, ALASKA 99709-5316
TELEPHONE: (907) 451-2243
TDD: (907) 451-2363
FAX: (907) 451-5103
EMAIL: *katrina_lemieux@dot.state.ak.us*

POA-2006-508-4 ADOT
Washington Creek

March 10, 2006

RE: Elliott Highway Washington Creek Bridge
DOT&PF Project 61069
INDIVIDUAL PERMIT REQUEST

Christy Everett
Fairbanks Regulatory Field Office Manager
U.S. Army Corps of Engineers
3437 Airport Way, Suite 206
Fairbanks, AK 99709-4777

Dear Ms. Everett:

The Alaska Department of Transportation and Public Facilities (DOT&PF) is requesting an Individual Permit for the replacement of the Washington Creek Bridge (#0838) at Milepost (MP) 18.3 of the Elliott Highway, north of Fairbanks, AK. The project area is located within Sections 24 and 25, T4N, R2W, FM, USGS Livengood (A-2).

This project is state funded, with no participation from federal grantors. The proposed project activities include replacement of the existing bridge to address structural deficiencies and pending load restrictions. The new bridge will be located 500 feet downstream of the existing location on an improved alignment. The project also involves the realignment of approximately 0.9-mile of highway to eliminate two existing substandard curves.

Project Description and Purpose

The Alaska Department of Transportation is proposing to upgrade approximately 0.9 miles of the Elliott Highway near Milepost 18. The purpose of the project is to improve safety for the traveling public by upgrading the existing highway alignment and replacing Bridge #838 over Washington Creek. The project will:

- Upgrade two substandard curves
- Relocate Washington Creek Bridge 500 feet downstream from its current location
- Remove the existing bridge and restore hydraulic opening
- Maintain access to the existing creek-side parking area on the south bank of Washington Creek will be maintained.

The abandoned road alignment will be reclaimed by removing the asphalt surface and the aggregate base course. Organic overburden from the new alignment will be used to encourage revegetation. Seeding with native plant species will occur where necessary. Once the existing bridge is removed, the approach embankments will be reshaped to mimic a more natural hydraulic opening with floodplain capacity and riparian vegetation. A figure detailing this reclamation is available in the Figures section of the State Checklist.

POA-2006-508-4 ADOT
Washington Creek

Project Time Line

Construction is planned for May to October 2006.

Wetlands Impact

DOWL Engineers conducted the wetland delineation on August 26, 2005. The methods used followed the *1987 U.S. Army Corps of Engineers Wetland Delineation Manual.* Wetland boundaries were primarily established based on vegetation, hydrology, and hydric soil indicators. Dwarf Black Spruce Wetland is the habitat type that will be most effected by the new road alignment. This woodland-type habitat is characterized by sparse, often solitary dwarf black spruce with an understory of common bog-type vegetation. Tussock forming sedges are also present. Wetland impacts are summarized in Table 1.

Embankment Construction

Highway realignment is proposed to upgrade two substandard horizontal curves and lower the northbound approaching grade to match the new bridge grade. The subgrade north of Washington Creek consists of frozen silt and organics with some sand and gravel content. In order to prevent excessive thaw settlement, the unsuitable material will be excavated to a depth of 4 to 15 feet and will be replaced with selected aggregate material. The excavated material will be incorporated in thermal stabilization berms constructed against the road embankment along this segment. Approximately 58,700 cubic yards of embankment material will be discharged into 5.3 acres of jurisdictional wetlands. Materials to be discharged consist of 30,000 cubic yards of overexcavated ice-rich silty soil, 28,300 cubic yards of granular material (sand and gravel), and 400 cubic yards of asphalt stabilized base course and asphalt.

Washington Creek Bridge Replacement

The existing bridge over Washington Creek will be replaced with a single-span bridge 500 feet downstream from the existing bridge. The bridge replacement will require the placement of 1,200 cubic yards of Class II riprap in 0.2 acres of wetland (Washington Creek) for scour protection. Riprap will be keyed-in below ordinary high water and extend upslope above floodwater elevation. Traffic will be maintained on the existing bridge during construction, a separate detour will not be required.

Temporary Haul Route

Due to the pending bridge restrictions, as a result of the failing structure, it is anticipated that the contractor will choose to install a temporary haul route with a temporary bridge and fill. The location of this crossing will occur within the footprint of the proposed riprap and bridge construction. The temporary haul route will reduce the risks of further structural damage resulting from frequent heavy construction loads. The fish species present within the project area are Arctic grayling, Dolly Varden char, and possibly whitefish. Fish passage will be maintained throughout the project area between May 31 and September 1. The temporary bridge installations will result in 1,400 cubic yards of temporary fill material being discharged, with an additional 800 cubic yards place in wetlands to complete the temporary haul road. All temporary fill material will be

removed prior grading and seeding. Where necessary, the contractor may choose to use geotextile fabric to separate temporary fill from native ground to help minimize disturbance during temporary fill removal.

Pullouts

The realigned roadway footprint will eliminate an existing roadside pullout in the upland area 200-ft south of Washington Creek. Access to an existing creek-side parking area upstream of the existing bridge will be retained. A new pullout will be constructed along the access to the existing parking area. No impacts to wetlands are involved.

Material Sources

Most of the material necessary to construct the project will be obtained from a road cut section on the upland area south of Washington Creek. Higher quality material for the pavement layers will need to be obtained from outside the project limits. Prospective material sources for the project are: MS 680-001-02 and MS 680-003-02, which are both located at Mile 11 of the Elliott Highway, and MS 680-010-2 at Mile 20 of the Elliott Highway. No wetland impacts are associated with the planned mining operations.

A preconstruction meeting will be held with the contractor to review the contractor's submitted mining plan. Mining techniques, boundaries, and methods of operations will be clarified and the performance objectives of mine development will be defined. Stripping and stockpiling of overburden and site rehabilitation will be addressed. The site will be developed in a way that preserves the natural drainage patterns to the extent practicable in order to prevent runoff that would result in adverse impacts to adjacent wetlands. Excavated areas will be stabilized after the work has been completed. Overburden will be preserved to the extent practicable for re-use in reclamation.

Upon completion, the material sites will be reclaimed by seeding with native vegetation and allowed to return to a natural state. Final inspection of each material site will be conducted before the contractor is released from the contract.

Vegetative Clearing Limits

Clearing limits will be minimized to the extent practicable and will be clearly marked on-site. The highway realignment and bridge construction will involve clearing and stripping approximately 5.5 acres within jurisdictional wetlands. Stripped and cleared materials will be burned, hauled off-site for disposal, or used in material site and abandoned roadway rehabilitation.

Temporary Construction Footprint

A 20-foot wide area beyond the toe-of-slope will be used temporarily by construction equipment in order to accomplish construction activities such as slope tracking. All damaged areas will be stabilized following construction activities to reduce erosion. Damaged areas will be seeded to promote long-term soil stability and reduced risk of noxious weed infestation.

Stockpile and Staging Areas

Stockpile and staging areas will be limited to the project limits or to prescribed upland areas. The Contractor will submit plans describing locations, intended uses, and reclamation methods for stockpile and staging areas within the SWPPP for review and approval prior to commencing activities.

Avoidance, Minimization & Mitigation

The following actions will be taken to avoid, minimize, and mitigate impacts to wetland areas:

- ADOT&PF will prepare an Erosion and Sediment Control Plan during final design to minimize the potential for sediment to reach surface waters. Temporary erosion control measures, including silt fence, mulch, and will be used during construction and kept in place until newly seeded plants can bind with the soil. The Contractor will prepare a Storm Water Pollution Prevention Plan to comply with the conditions of the National Pollution Discharge Elimination System Construction General Permit. This plan will address reducing impacts to water from construction activities to the maximum extent practicable. This will include a hazardous materials control plan to address measures to prevent and respond to potential releases of hazardous material during construction.
- Refueling and servicing of equipment shall not be performed within 100 feet of wetlands or water bodies with the exception of low mobility equipment used for road construction or bridge repairs. A hazardous Materials Control Plan (HMCP) will provide a detailed process for fueling this equipment within 100 feet of wetlands or waters of the U.S. Fueling and service vehicles will be equipped with adequate materials (such as absorbent pads, booms, etc) to immediately contain and commence clean up of spilled fuels and other petroleum products.
- Adequate absorbent material will be kept on site to be used in the event oil, fuel, or other hazardous materials are spilled during equipment operation.
- Best management practices will be used and maintained to prevent pollution of surface and groundwater, soil, and the atmosphere, with any contaminants including hazardous or toxic materials. Any release of these materials into the environment will require immediate corrective action by the contractor in accordance with applicable state and federal regulations.
- If contaminated or hazardous material are encountered during construction, all work in the vicinity of the contaminated site will be stopped until ADEC is contacted and a corrective action plan is approved be ADEC.
- All fill material and equipment will be restricted to the area required and permitted to construct the project.
- The project footprint will be staked prior to each construction phase, and remain in place until construction activities in that phase are complete.

- Fuel and petroleum will be stored in double-walled tanks or a lined, bermed area at least 100' away from adjacent wetland areas.

Below is an overview of the responses DOT&PF received from the respective agencies. Copies of all correspondence are available in Appendix A of the State Checklist.

- DNR-OHMP: Comments received pertained to the details of riprap placement. Requests to first excavate and then stockpile necessary streambed material to accommodate placement of large riprap, place large riprap, and replace some of the excavated streambed material to fill the gaps in the large riprap and to create a more natural streambed condition (i.e., pre-disturbed condition). DNR-OHMP also required that if this work could not be conducted during September 1 through May 31, outside of the fish presence window, then steps must be taken to prevent excessive sediment discharge during excavation and backfilling activities. Fish passage must also be maintained at all times unless the work can be completed in 5 days or less. All of these comments are being included into the design and specifications of this project.

  USF&WS: Recommendations for mitigation included removing the existing bridge and fill to restore the hydrologic function of the riparian corridor and surrounding wetlands. Suggestions for potential grading to restore the natural contour and stream channel and using organic overburden to encourage revegetation. Request for the abandoned roadbed to be picked up, reused and rehabilitated to the extent possible. Recommendation that habitat-impacting activities (vegetation clearing, placement of fill, etc.) occur outside the migratory bird timing window, which is May 1-July 15 in interior Alaska. These comments have been incorporated into the design of the project and are detailed above in the Project Description.

- NMFS: Determination made that the described action will not result in any adverse effect to Essential Fish Habitat (EFH). No EFH Assessment is required and NMFS did not offer any EFH Conservation Recommendations. NMFS has no objection to the project.

Concurrent with our permit application, we are submitting a Title 41 Permit application to the DNR-Office of Habitat Management and Permitting (OHMP). If you require any additional information, please contact Katrina LeMieux, Environmental Impact Analyst, by telephone at (907) 451-2243, or e-mail to: *katrina_lemieux@dot.state.ak.us*.

Sincerely,

Chuck Howe
Environmental Coordinator

Bill Ballard

Bill Ballard
Statewide Environmental Coordinator

KL/dt
Enclosures: 1) Corps Permit Application & Figures, 2)Wetlands Report
3) Table 1: Summary of Wetlands Impacts
cc: Katrina LeMieux, Environmental Impact Analyst, DOT&PF, Northern Region
Tim Woster, P.E., Engineering Manager, DOT&PF, Northern Region

POA-2006-508-4 ADOT
Washington Creek

Table 1
Summary of Wetlands Impacts
Elliott Highway Washington Creek Bridge

Permanent Wetlands Impacts

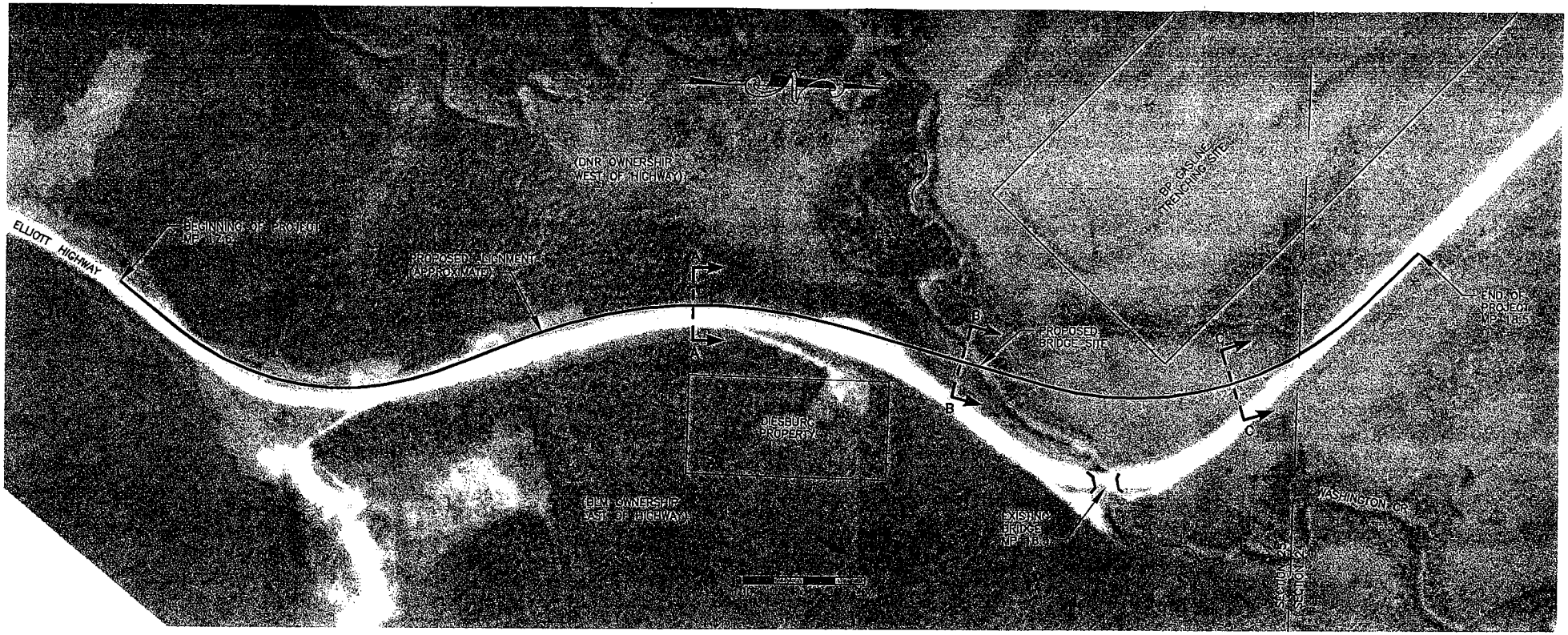
Construction Activity	Fill Area (Acres)	Fill Volume (Cubic Yards)	Excavation Area (Acres)	Excavation Volume (Cubic Yards)
Realignment (1000 ft)	5.3	58,700	*3.3	20,100
Channel Armor (Class II Riprap)	0.2	1,200	*0.2	1,200
TOTAL	**5.5**	**59,900**	***3.5**	**21,300**

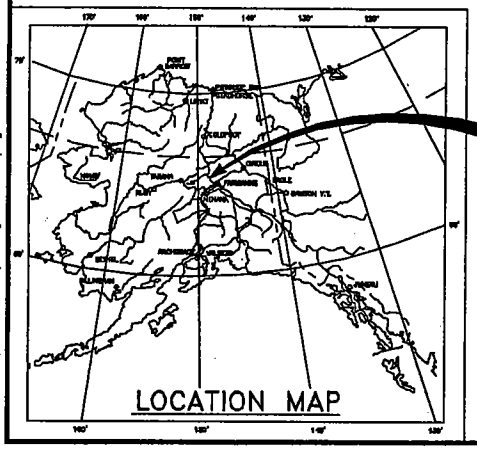
*Excavation areas are contained within project fill limits, therefore a total of 5.5 acres will be impacted.

Temporary Wetlands Impacts

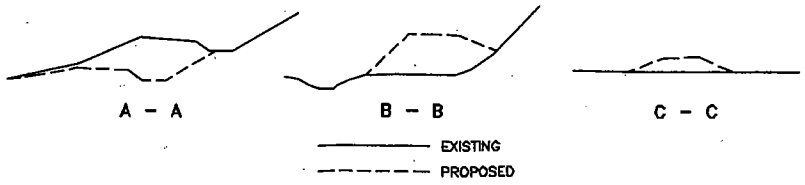
Construction Activity	Impacted Area (Acres)	Temporary Fill Volume (Cubic Yards)	Excavation Volume (Cubic Yards)
Slope Tracking	1.3	-	-
Haul Route	*0.3	800	-
Work Pad	*0.1	1400	-
Place Channel Armor	0.3	-	-
Temporary Culvert	*0.1	1400	140
Removal of Structures (existing bridge)	0.3	100	100
TOTAL	**1.9**	**3700**	**240**

*Footprint is within permanent impact limits and is not included in total.





PROJECT LOCATION

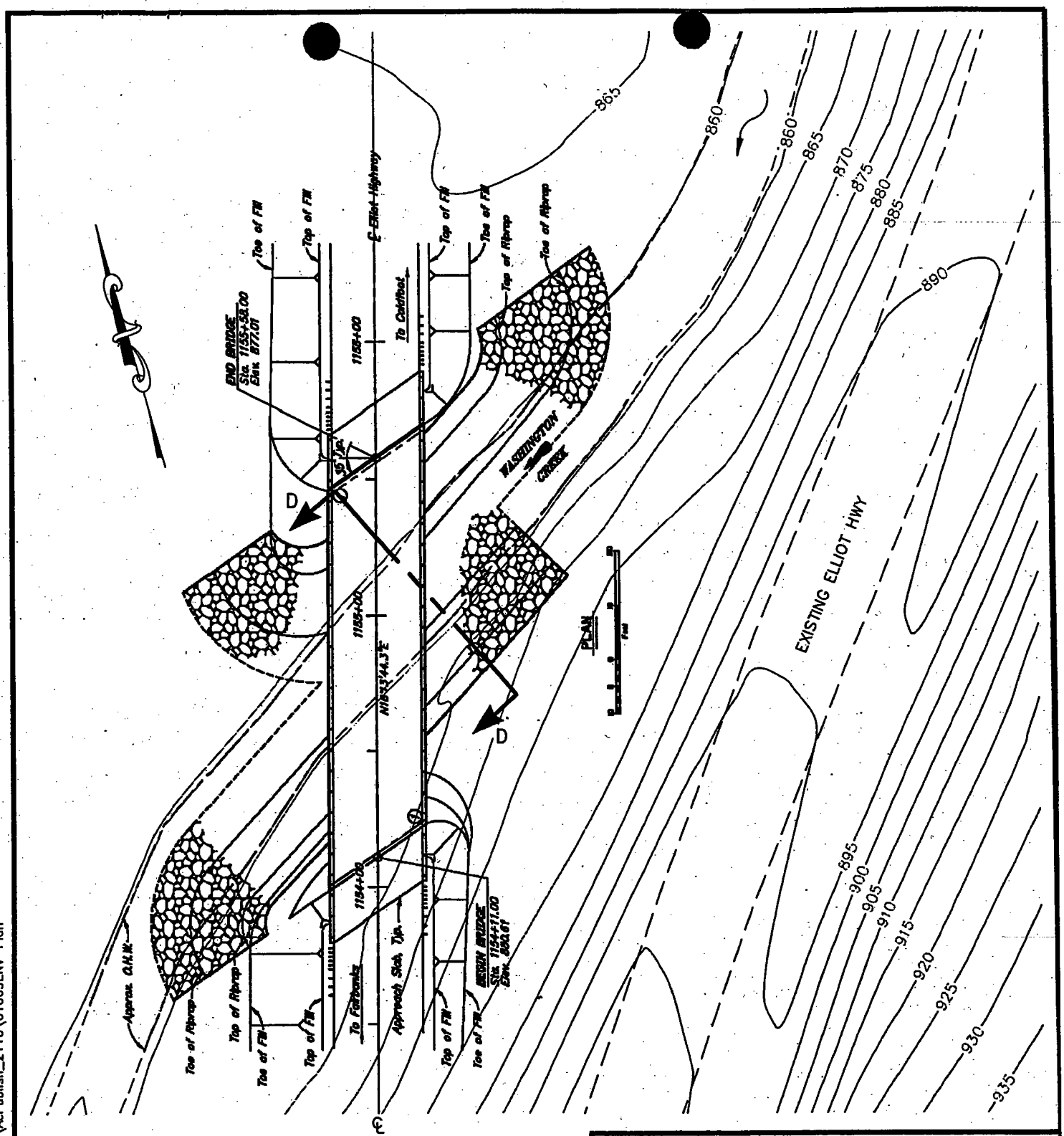


CROSS–SECTIONS (CONCEPTUAL)

STATE OF ALASKA Department of Transportation and Public Facilities 2301 Peger Rd. Fairbanks, Ak 99709
WASHINGTON CREEK BRIDGE #0838 PROJECT NO: 61069
ELLIOTT HWY
WASHINGTON CREEK
DATE: 10/04/05 | SHEET: 1 OF 3

Q:\Hwy\61069\Environmental\WashingtonENV-Scoping

POA-2006-508-4 ADOT
Washington Creek



PROPOSED REALIGNMENT OF
ELLIOT HWY AT
WASHINGTON CREEK BRIDGE

POA-2006-508-4 ADOT
Washington Creek

STATE OF ALASKA
Department of Transportation and Public Facilities
2301 Peger Rd. Fairbanks, Ak 99709

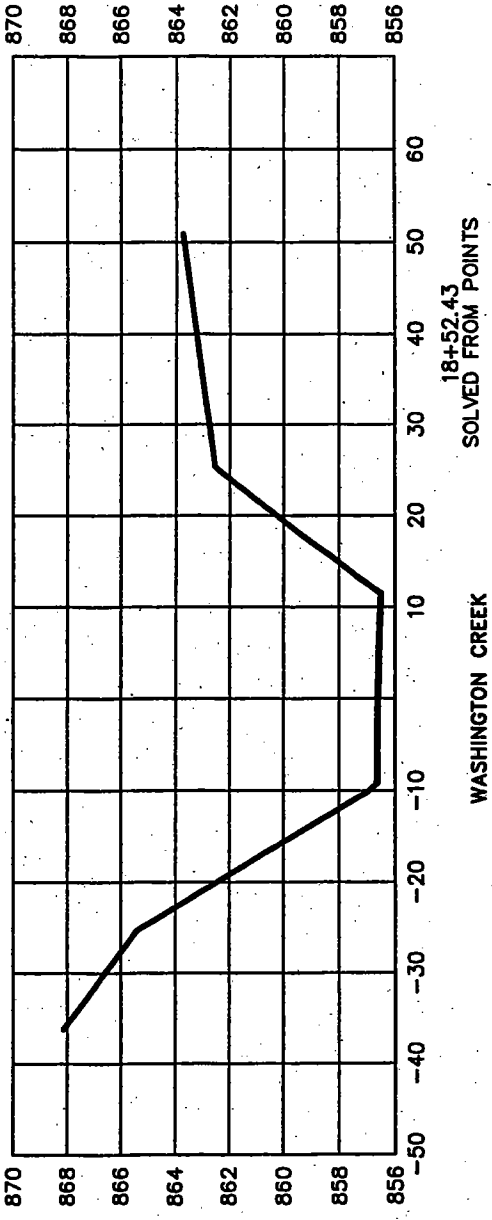
WASHINGTON CREEK BRIDGE #0838
PROJECT NO. 61069

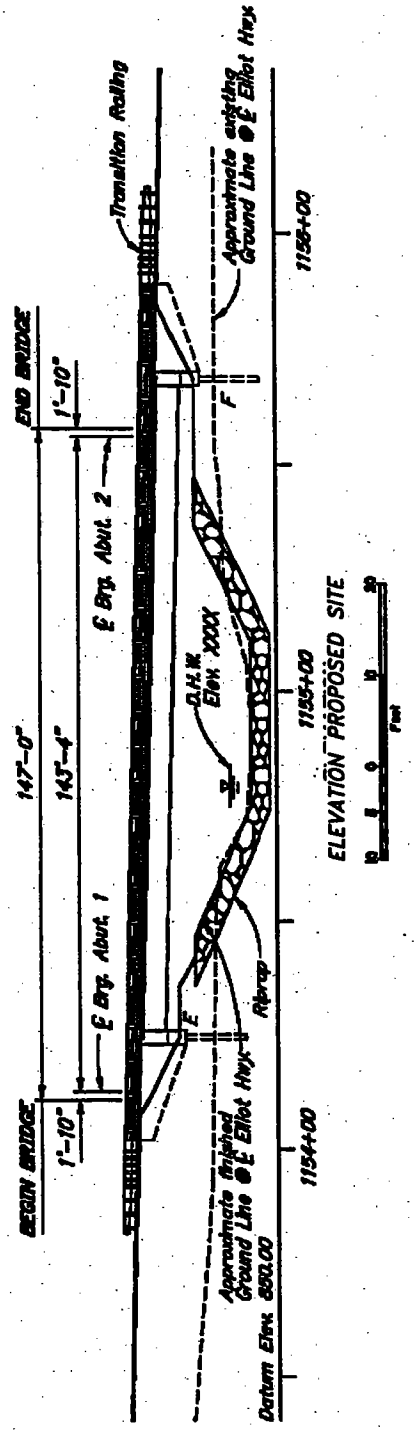
ELLIOTT HWY

WASHINGTON CREEK

DATE: 10/04/05 | SHEET: 2 OF 3

C:\DOCUME~1\shawnc\LOCALS~1\Temp\AcPublish_2116\61069ENV-Plan

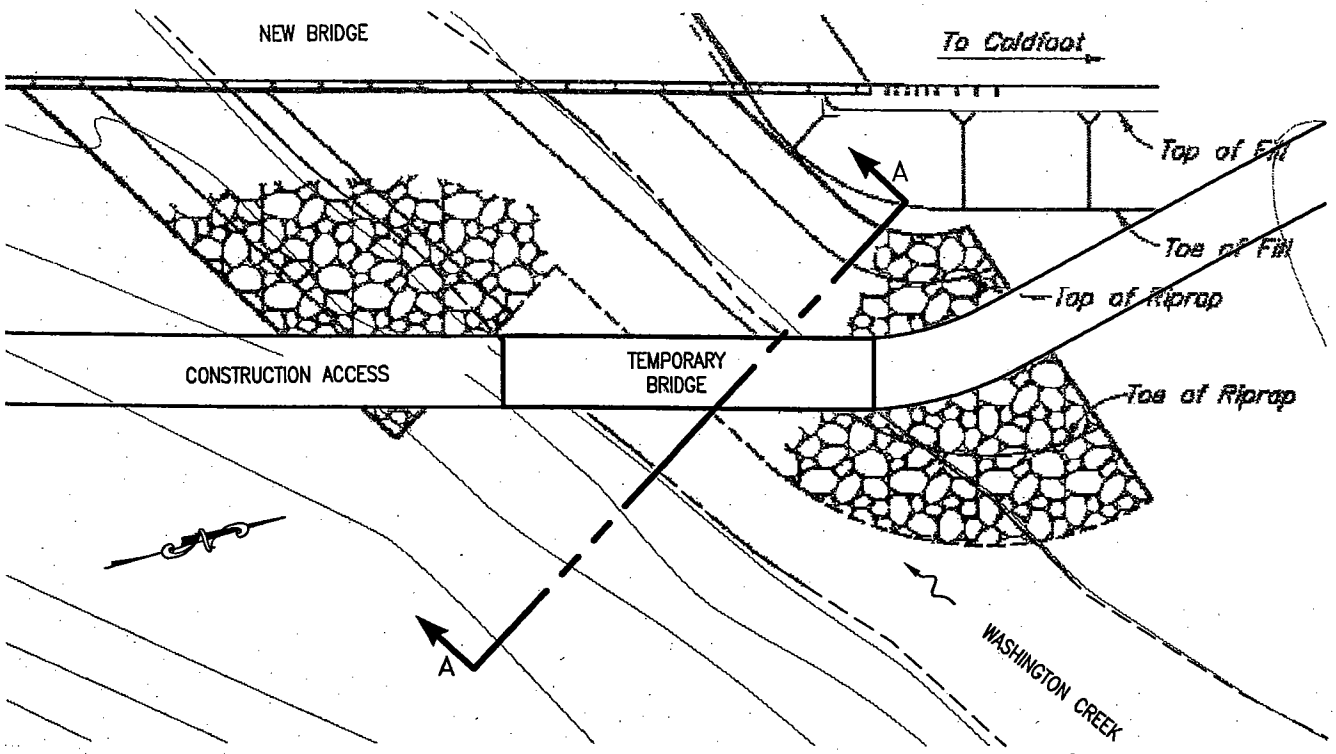




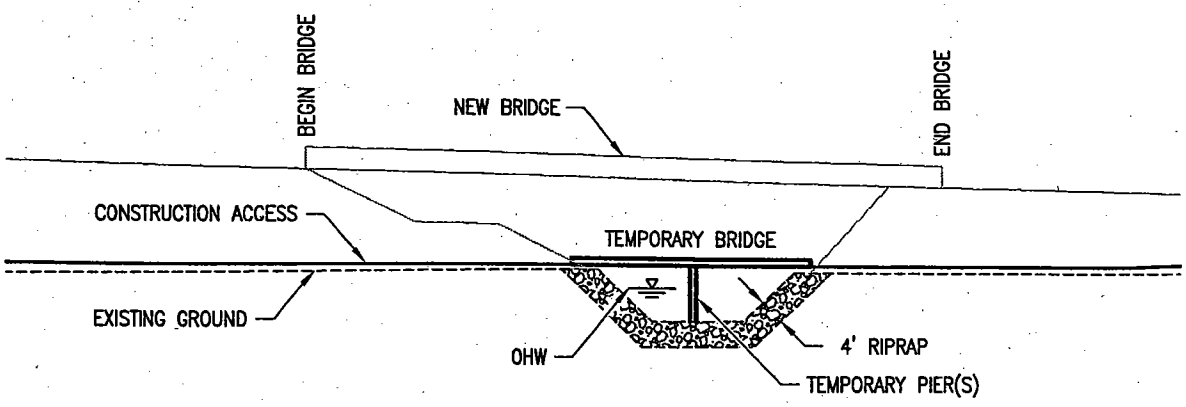
POA-2006-508-4 ADOT
Washington Creek

STATE OF ALASKA Department of Transportation and Public Facilities 2301 Peger Rd. Fairbanks, Ak 99709	
WASHINGTON CREEK BRIDGE #0838 PROJECT NO. 61069	
ELLIOTT HWY	
WASHINGTON CREEK	
DATE: 10/04/05	SHEET: 3 OF 3

C:\DOCUME~1\shawnc\LOCALS~1\Temp\AcPublish_2116\61069ENV-Elev



PROPOSED TEMPORARY HAUL
BRIDGE AT WASHINGTON CREEK
BRIDGE CONSTRUCTION SITE



ELEVATION SECTION A–A

0 feet 30

POA-2006-508-4 ADOT
Washington Creek

STATE OF ALASKA
Department of Transportation and Public Facilities
2301 Peger Rd. Fairbanks, Ak 99709

WASHINGTON CREEK BRIDGE #0838
PROJECT NO. 61069
TEMPORARY HAUL BRIDGE OPTION

ELLIOTT HWY

WASHINGTON CREEK

DATE: 02/17/06 | SHEET: 1 OF 1

Q:\Hwy\61069\Environmental\61069ENV Haul Route-Ptrt